

No. 21966

IN THE

United States Court of Appeals
FOR THE NINTH CIRCUIT

BEHZAD KASRAVI,

Appellant,

vs.

IMMIGRATION AND NATURALIZATION SERVICE,

Appellee.

APPELLANT'S OPENING BRIEF.

BEHZAD KASRAVI,

2306 Nella Vista Avenue,
Los Angeles, Calif. 90027,

Appellant, In Propria Persona.

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APPELLANT'S OPENING BRIEF.

I, Behzad Kasravi, the petitioner, am not an attorney at law. As my record shows, in the past I have been assisted by good lawyers in the pending case. The expense of providing a legal brief prepared professionally is prohibitive for me at this time. May I ask for the court's tolerance.

I am asking the Immigration and Naturalization Service to allow me to stay in the United States and not to deport me to Iran, my homeland. I have documented my reasons for this request in detail as the record shows. I have produced witnesses of authority who supported my contention that Iran today is governed by the hand of a despot, that the government of Iran at this time is dictatorial, and has persecuted, imprisoned, tortured and murdered many of Iranian citizens who in some way resisted the Shah's regime.

I feel that a brief history of the background and present situation in Iran will be helpful to the Court. During World War II, the father of the present Shah was the dictator of Iran. He would not cooperate with the Allies in letting the transportation of American arms to Russia through Iran. He created the fiasco of Iranian military fighting the mighty Allied forces for a few days. No need to say who won. He abdicated his throne to his son, at the time a young man without any record. Due to weaknesses in the dictatorship, a revival of political movements appeared in Iran and people took more part in their own government and the Parliament. It was during this time, that my father, who was a "reformer" and an active critic of the Shah's government was assassinated (in 1946). People wanted to nationalize their oil industries which up to that point (early 1950's) had been in the hand of the British monopolies. Finally Dr. Mossadegh, the premier and the head of the government, achieved this goal of the people.

Here I am getting into some area which I hope this court will be tolerant with me. I am going to criticize the American Government which through the CIA and with the expenditure of twenty to forty million dollars from the American tax-payers' pockets helped overthrow the legal and popular government of Dr. Mossadegh and reinstated the Shah who at that time (1953) had escaped to Europe. The influence of the American oil companies and their lobbying in Washington had much to do with the situation. American oil interests were replacing the British. Since then the CIA's activities have come to the open in many instances and a good number of books have exposed it.

American government since World War II has made serious mistakes in its foreign policy and only recently many American citizens are taking a serious look at it. I hope my criticism of American foreign policy does not offend the court. All governments and nations in the past have made serious mistakes in their policies, internal and external, and the hope is that constructive criticism will help towards a solution.

In the United States the courts are not the mouth-piece of the government, but I believe they eventually assert their influence for the better.

Since 1953, when the Shah returned to Iran with the help of the CIA, the internal situation of Iran has deteriorated. Freedom of expression has been suppressed, and many students and other Iranians have given their lives as a price to oppose the despotic rule of the Shah. American foreign aid to Iran has been many, many millions since 1953. Iran has natural resources including vast amounts of oil. On the other hand Iran is one of the few underdeveloped countries which is *not* overpopulated. Yet Iran receives American foreign aid. Much of the aid has been military goods. Whatever the pretense for the arms aid may be, so far it has been used against the Iranians only.

My brief account of the recent Iranian situation and CIA influence is supported by many American publications. Here I submit the particulars of three books: 1. Nationalism in Iran, by Richard W. Cottam; 2. CIA, The Inside Story, by Andrew Tully; 3. The Invisible Government, by David Wise and Thomas B. Ross.

It seems the only qualification for being an ally of United States, according to the current foreign policy.

is to be anti-communism. The Shah of Iran claims to be that. And no matter what he has done he is still an ally. The problem with this policy is that the Shah has really done nothing for the Iranian people. Meanwhile the United States is losing a friend, and the Iranians suffer.

Ultimately it is the individual who suffers the consequences of these national follies. And suffering knows no national boundary or nationality. I do not want to be the victim of all that is now going on in Iran.

My application for suspension of deportation should have been granted. The record clearly shows that I would suffer extreme hardship if I were deported to Iran. The decision against me in connection with this application was a finding ignoring all the evidence and deprived me of due process of law.

The denial of my application for a stay of deportation to Iran because of persecution for political opinion under Section 243(h) of the Immigration and Nationality Act, as amended, clearly ignored the record in this case and the evidence presented, and was an abuse of administrative discretion and deprived me of due process of law.

It have raised these points in my Petition for Review. The record is clear and supports my position without any doubt. It would serve no purpose to repeat all the points made during the several hearings and arguments made in applications and briefs filed with the Immigration and Naturalization Service and Board of Immigration Appeals. That record is now before this Court.

I respectfully submit that the Court should come to different conclusions than that of the Board of Immigration Appeals.

Respectfully submitted,

BEHZAD KASRAVI,

Appellant, In Propria Persona.

Certificate.

I certify that, in connection with the preparation of this brief, I have examined Rules 18, 19 and 39 of the United States Court of Appeals for the Ninth Circuit, and that, in my opinion, the foregoing brief is in full compliance with those rules.

BEHZAD KASRAVI

